

Message Text

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ORIGIN OPIC-06

INFO OCT-01 AF-10 ISO-00 EB-08 AID-05 TRSE-00 COME-00
L-03 CIAE-00 INR-10 NSAE-00 /043 R

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APPROVED BY A /W- GHOUDEK
EB/IFD/OIA:DGRANT
-----034433 102253Z /61
P 102203Z AUG 78
FM SECSTATE WASHDC
TO AMEMBASSY LOME PRIORITY

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E.O. 11652: N/A

TAGS: EINV

SUBJECT: TAW

REF: LOME 2523

1. OPIC APPRECIATES CHARGE'S DILIGENCE IN ARRANGING MEETING WITH MINFIN. TENTATIVE AGREEMENT AS OUTLINED PARA 1 REFTEL FUNDAMENTALLY SOUND. OPIC HAS FOLLOWING COMMENTS.

2. FOR THE RECORD, OPIC AGREES WITH ITEM 1A AND IS PLEASED WITH 1C AND 1D. RE ITEM 1B OPIC ASSUMES "PRIOR EXCHANGE OPERATION" REFERRED TO AS NOT HAVING OCCURRED IS REGISTRATION BY TAW OF IMPORTATION OF ORIGINAL INVESTMENT (FUNDS AND EQUIPMENT).

3. THE FOREGOING REPRESENTS OPIC'S CANDID RESPONSE FOR POST ON THE FOUR POINTS OF THE TENTATIVE AGREEMENT. IN TERMS OF RESPONDING TO THE GOT, HOWEVER, OPIC WOULD
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REQUEST THAT THE FOLLOWING POINTS BE MADE TO MINFIN:

(A) OVERALL, THE AGREEMENT IS EXCELLENT;

(B) USG WOULD PREFER THAT IF POSSIBLE ITEM 1B OF REFTEL NOT BE INCLUDED IN NOTE; IF ABSOLUTELY NECESSARY TO INCLUDE 1B, OPIC WOULD APPRECIATE POST'S ATTEMPTING

TO HAVE POINT MODIFIED TO INDICATE THAT ANY ALLEGED NON-APPLICABILITY OF THE IGA TO THE SUBJECT CREDIT OPERATIONS AROSE FROM TAW'S FAILURE TO REGISTER THE ORIGINAL INFLOW OF INVESTMENT TO TOGO AND/OR TAW'S FAILURE TO NOTIFY THE GOT OF ITS INTENTION TO MAKE THE TRANSFERS TO THE US EMBASSY;

(C) ITEM 1C IS EXCELLENT AND SHOULD BE HIGHLIGHTED AS MUCH AS POSSIBLE;

(D) ITEM 1D IS GOOD AND WOULD BE EVEN BETTER IF GOT COULD SPECIFICALLY STATE THAT IT HAS NO INTENTION OF PROSECUTING TAW OR ITS OFFICERS PROVIDED THAT NO FURTHER "ILLEGAL" ACTS WERE COMMITTED BY TAW RPT TAW;

(E) FINALLY, WHETHER OR NOT ITEM 1B IS RETAINED IN MODIFIED FORM OR AT ALL, OPIC WOULD APPRECIATE POST'S ATTEMPTING TO PROCURE INCLUSION OF BRIEF, ONE SENTENCE STATEMENT TO EFFECT THAT IT WAS TAW'S DUTY AS TRANSFEROR TO OBTAIN REQUISITE APPROVALS FOR TRANSFER.

4. OPIC REALIZES THAT CHARGE MAY BE UNABLE TO OBTAIN INCLUSION OF ALL OF ABOVE SUGGESTED CHANGES. PRIORITY WHICH OPIC ATTACHES TO SUGGESTED CHANGES IS AS FOLLOWS:
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I) TAW, NOT USG HAD DUTY TO OBTAIN REQUISITE APPROVAL;

II) GOT WILL NOT PROSECUTE TAW OR ITS OFFICERS;

III) ANY NON-APPLICABILITY OF IGA CAUSED BY TAW'S FAILURE TO REGISTER ORIGINAL INVESTMENT; AND

IV) EMPHASIS ON ITEM 1C.

5. OPIC GREATLY APPRECIATES POST'S EFFORTS IN THIS MATTER AND WILL BE PLEASED TO RESPOND TO ANY FURTHER QUESTIONS POST MAY HAVE ON WORDING OF PROPOSED DIPNOTE. VANCE

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Message Attributes

Automatic Decaptioning: X
Capture Date: 01 jan 1994
Channel Indicators: n/a
Current Classification: UNCLASSIFIED
Concepts: INVESTMENTS
Control Number: n/a
Copy: SINGLE
Draft Date: 10 aug 1978
Decaption Date: 01 jan 1960
Decaption Note:
Disposition Action: RELEASED
Disposition Approved on Date:
Disposition Case Number: n/a
Disposition Comment: 25 YEAR REVIEW
Disposition Date: 20 Mar 2014
Disposition Event:
Disposition History: n/a
Disposition Reason:
Disposition Remarks:
Document Number: 1978STATE202924
Document Source: CORE
Document Unique ID: 00
Drafter: AKEESEE
Enclosure: n/a
Executive Order: N/A
Errors: N/A
Expiration:
Film Number: D780328-0334
Format: TEL
From: STATE
Handling Restrictions: n/a
Image Path:
ISecure: 1
Legacy Key: link1978/newtext/t19780876/aaaac1zw.tel
Line Count: 108
Litigation Code IDs:
Litigation Codes:
Litigation History:
Locator: TEXT ON-LINE, ON MICROFILM
Message ID: bfbb5b65-c288-dd11-92da-001cc4696bcc
Office: ORIGIN OPIC
Original Classification: LIMITED OFFICIAL USE
Original Handling Restrictions: n/a
Original Previous Classification: n/a
Original Previous Handling Restrictions: n/a
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Previous Handling Restrictions: n/a
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Retention: 0
Review Action: RELEASED, APPROVED
Review Content Flags:
Review Date: 03 may 2005
Review Event:
Review Exemptions: n/a
Review Media Identifier:
Review Release Date: n/a
Review Release Event: n/a
Review Transfer Date:
Review Withdrawn Fields: n/a
SAS ID: 1775241
Secure: OPEN
Status: NATIVE
Subject: TAW
TAGS: EINV, TO, TAW
To: LOME
Type: TE
vdkgvwkey: odhc://SAS/SAS.dbo.SAS_Docs/bfbb5b65-c288-dd11-92da-001cc4696bcc
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